

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1284 be amended to read as follows:

- 1 Page 2, between lines 11 and 12, begin a new paragraph and
- 2 insert:
- 3 "SECTION 2. IC 5-3-1-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) The cost of all
- 5 public notice advertising which any elected or appointed public official
- 6 or governmental agency is required by law to have published, or orders
- 7 published, for which the compensation to the newspapers or qualified
- 8 publications publishing such advertising is drawn from and is the
- 9 ultimate obligation of the public treasury of the governmental unit
- 10 concerned with the advertising shall be charged to and collected from
- 11 the proper fund of the public treasury and paid over to the newspapers
- 12 or qualified publications publishing such advertising, after proof of
- 13 publication and claim for payment has been filed.
- 14 (b) The basic charges for publishing public notice advertising shall
- 15 be by the line and shall be computed based on a square of two hundred
- 16 and fifty (250) ems at the following rates:
- 17 (1) Before January 1, 1996, three dollars and thirty cents (\$3.30)
- 18 per square for the first insertion in newspapers or qualified
- 19 publications plus one dollar and sixty-five cents (\$1.65) per
- 20 square for each additional insertion in newspapers or qualified
- 21 publications.
- 22 (2) After December 31, 1995, and before December 31, 2005, a
- 23 newspaper or qualified publication may, effective January 1 of
- 24 any year, increase the basic charges by five percent (5%) more
- 25 than the basic charges that were in effect during the previous

1 year. However, the basic charges for the first insertion of a
2 public notice in a newspaper or qualified publication may not
3 exceed the lowest classified advertising rate charged to
4 advertisers by the newspaper or qualified publication for
5 comparable use of the same amount of space for other purposes.
6 ~~An additional charge of fifty percent (50%) shall be allowed for the~~
7 ~~publication of all public notice advertising containing rule or tabular~~
8 ~~work.~~

9 (c) All public notice advertisements shall be set in solid type not
10 larger than the type used in the regular reading matter of the newspaper
11 or qualified publication, without any leads or other devices for
12 increasing space. All public notice advertisements shall be headed by
13 not more than two (2) lines, neither of which shall total more than four
14 (4) solid lines of the type in which the body of the advertisement is set.
15 Public notice advertisements may be submitted by an appointed or
16 elected official or a governmental agency to a newspaper or qualified
17 publication in electronic form, if the newspaper or qualified publication
18 is equipped to accept information in compatible electronic form.

19 (d) Each newspaper or qualified publication publishing public
20 notice advertising shall submit proof of publication and claim for
21 payment in duplicate on each public notice advertisement published.
22 For each additional proof of publication required by a public official,
23 a charge of one dollar (\$1) per copy shall be allowed each newspaper
24 or qualified publication furnishing proof of publication.

25 (e) The circulation of a newspaper or qualified publication is
26 determined as follows:

27 (1) For a newspaper, by the circulation stated on line 10.C.
28 (Total Paid and/or Requested Circulation of Single Issue
29 Published Nearest to Filing Date) of the Statement of
30 Ownership, Management and Circulation required by 39 U.S.C.
31 3685 that was filed during the previous year.

32 (2) For a qualified publication, by a verified affidavit filed with
33 each governmental agency that has public notices the qualified
34 publication wants to publish. The affidavit must:

35 (A) be filed with the governmental agency before January
36 1 of each year; and

37 (B) attest to the circulation of the qualified publication for
38 the issue published nearest to October 1 of the previous
39 year."

40 Renumber all SECTIONS consecutively.

(Reference is to E.H.B. 1284 as printed March 12, 1999.)

